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Attorneys for Defendant and Cross-Complainant
 Z-MAN FISHING PRODUCTS, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

APPLIED ELASTOMERICS,
 INCORPORATED, a California corporation

Plaintiff,

v.

Z-MAN FISHING PRODUCTS,
 INCORPORATED, a South Carolina
 corporation

Defendant.

AND RELATED COUNTERCLAIMS

Case No. C06-2469 CW

STIPULATION RE ADR SELECTION;
 ORDER

Honorable Claudia Wilken

Trial Date: None Set

Plaintiff and Counter-Defendant Applied Elastomerics, Incorporated (“AEI”) and
 Defendant and Counter-Complainant Z-Man Fishing Products, Incorporated (“Z-Man”), through
 their respective attorneys and pursuant to the Court’s Local Rule 16-8(c)(1), hereby stipulate as
 follows:

1. WHEREAS, on August 24, 2006, the parties stipulated, pursuant to Civil L.R. 16-8
 and ADR L.R. 3-5, to participate in mediation through the Court’s Alternative Dispute Resolution
 Program;

2. WHEREAS, on September 11, 2006, this Court ordered that the matter be referred
 to Court sponsored mediation;

3 WHEREAS, the parties have further met and conferred concerning ADR options
and have decided that they would prefer to conduct private mediation with Martin Quinn through
JAMS; and

4 WHEREAS, the parties have been in contact with Mr. Quinn's case manager and
have tentatively arranged to conduct private mediation on November 30, 2006 pending the
removal of this matter from the Court's ADR Program.

IT IS HEREBY STIPULATED between AEI and Z-Man that matter be taken out of the
Court sponsored ADR Program and that the parties' be allowed to conduct private mediation with
Mr. Quinn through JAMS. The deadline for the ADR session shall remain November 30, 2006.

Dated: October 13, 2006

MORRISON & FOERSTER, LLP

By: /S/ JILL NEIMAN
JILL NEIMAN
Attorneys for Plaintiff and Counter-Defendant
Applied Elastomerics, Inc.

Dated: October 13, 2006


DILLINGHAM & MURPHY

By: /S/ MARK ROGERS
MARK J. ROGERS
Attorneys for Defendant and Counter-Complainant
Z-Man Fishing Products, Inc.

IT IS SO ORDERED.

10/17/06

Dated: _____



HONORABLE CLAUDIA WILKEN
United States District Judge